

### Remarks

Favorable review is requested in view of the above amendments and the following remarks. Editorial amendments were made to claims 1 – 6 and 13 – 14. No new matter has been added. Claims 1 – 21 are pending in the application.

Applicants provide that Dietzel et al. (U.S. Patent No. 6,292,316) has not been reported on form PTO-892. In addition, there is a clerical error in the Office Action Summary. There are 21 claims. Therefore, the claims should be identified as 1 – 21, not 1 – 31.

### Claim Rejections under 35 U.S.C. § 103

Claims 1 – 8, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietzel et al. (above) in view of Malone (U.S. Patent No. 6,335,840). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Claim 1 requires detecting magnetic defects on the first data track with a certification head while the media is moving. The Examiner equates the measurement head AFM 5 of Dietzel et al. with Applicants' certification head. The measurement head AFM 5 of Dietzel et al. does not detect magnetic defects on the first data track with a certification head while the media is moving. In contrast, the measurement head characterizes the already detected defect while the disc is stationary over the defect. See column 5, lines 19 – 28 of Dietzel et al. and Fig. 6. In particular, Fig. 6, reference numeral 66 indicates that the measurement head 5 is positioned over the defect while the disc is stationary.

Dietzel et al. discloses using one head (attached to head holder 4) to detect the defects, while the measurement head 5 characterizes the defects. See column 4, line 67 – column 5, line 3 and column 5, lines 19 – 22 of Dietzel et al. Dietzel et al. does not disclose or suggest the use of two separate heads for detecting/scanning for defects. In addition, measurement head 5 of Dietzel et al. characterizes the defects only while the disc is stationary. Therefore, Dietzel et al. fails to disclose or suggest detecting magnetic defects on the first data track with a certification head while the media is moving. Withdrawal of the rejection is requested.

Claim 4 requires reading the first data stream on a first portion of the first wide track for magnetic defects with a read element located on a certifier head. The measurement head 5 of

Dietzel et al. characterizes the defect while the disc is stationary. See comments above. Consequently, the measurement head 5 of Dietzel et al. does not read the first data stream on a first portion of the first wide track. Therefore, Dietzel et al. does not disclose or suggest reading the first data stream on a first portion of the first wide track for magnetic defects with a read element located on a certifier head. Withdrawal of the rejection is requested.

Claim 8 requires that the thermal asperity detector simultaneously scans the first data track for thermal asperities while the certification head detects for magnetic defects. As stated above, the disc remains stationary as the measurement head 5 of Dietzel et al. characterizes the defect. Consequently, Dietzel et al. does not disclose or suggest that the thermal asperity detector scans while the certification head detects. Withdrawal of the rejection is requested.

Claims 13 and 14 require a write head located on a first support arm and a read head located on a second support arm. Measurement head 5 of Dietzel et al. is not a read head. Measurement head 5 is an atomic force microscope that characterizes the defect as the disc is stationary. It is not a read head as discussed in the specification of the present application. Therefore, Dietzel et al. does not disclose or suggest a write head located on a first support arm and a read head located on a second support arm. Withdrawal of the rejection is requested.

Claims 9, 10, 16, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietzel et al. (above) in view of Malone (above) and further in view of Gill (U.S. Patent No. 5,909,344). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Dietzel et al. and Malone are distinguished above. Gill is relied upon to suggest a thermal detector composed of magnetic material. Even if it does, which is not being conceded, this reference fails to remedy the shortcomings of the other references. Thus, withdrawal of the rejection is requested.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietzel et al. in view of Malone and further in view of Spainger (U.S. Patent No. 5,122,917). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Dietzel et al. and Malone are distinguished above. Spinger is relied upon to suggest a write head having a width of 20 to 100 microns. Even if it does, which is not being conceded,

this reference fails to remedy the shortcomings of the other references. Thus, withdrawal of the rejection is requested.

Claims 20 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietzel et al. in view of Malone. Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Dietzel et al. and Malone are distinguished above. One of ordinary skill in the art is relied upon to suggest the width of the write head, the write element, and the read element. Even if they would have, which is not being conceded, it does not remedy the shortcomings of the other references. Thus, withdrawal of the rejection is requested.

Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietzel et al. in view of Malone and further in view of Sagawa et al. (U.S. Patent No. 4,459,248). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Dietzel et al. and Malone are distinguished above. Sagawa et al. is relied upon to suggest that the thermal asperity detector was fabricated from non-magnetic material. Even if it does, which is not being conceded, it does not remedy the shortcomings of the other references. Thus, withdrawal of the rejection is requested.

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dietzel et al. in view of Malone and further in view of Yamamoto (U.S. Patent No. 6,046,837). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Dietzel et al. and Malone are distinguished above. Yamamoto is relied upon to suggest that the thermal asperity detector is fabricated from a group consisting of nickel, beryllium and nickel-iron. Even if it does, which is not being conceded, it does not remedy the shortcomings of the other references. Thus, withdrawal of the rejection is requested.

Conclusion

In view of the amendments and comments presented herein, favorable reconsideration in the form of a Notice of Allowance is respectfully requested. If any further questions should arise, the Examiner is invited to contact Applicants' representative at the number listed below.

By: 

Charles A. Jacobson  
Reg. No. 53,061  
Intellectual Property Department – NRW097  
Seagate Technology LLC  
7801 Computer Avenue South  
Bloomington, MN 55435  
Telephone: (952) 402-7896  
Attorney for Applicants

Please address all correspondence to:  
Seagate Technology LLC  
Intellectual Property Department – NRW097  
7801 Computer Avenue South  
Bloomington, MN 55435  
Phone: (952) 402-7896  
Fax: (952) 402-8187

Date: September 23, 2004

**CERTIFICATION UNDER 37 C.F.R. § 1.8**

Date of Deposit: September 23, 2004

I hereby certify that this Response and the documents referred to as attached therein are being transmitted via facsimile to facsimile number 703-872-9306 at the United States Patent and Trademark Office Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown above.

  
Charles A. Jacobson